

states, territories or the District of Columbia, or of a foreign country.

"(13) UNITED STATES-SUPPORTED MICRO-FINANCE INSTITUTION.—The term 'United States-supported microfinance institution' means a financial intermediary that has received funds made available under this part for fiscal year 1980 or any subsequent fiscal year.

"(14) VERY POOR.—The term 'very poor' means those individuals—

"(A) living in the bottom 50 percent below the poverty line established by the national government of the country in which those individuals live; or

"(B) living on less than the equivalent of \$1 per day (as calculated using the purchasing power parity (PPP) exchange rate method)."

SEC. 7. SENSE OF CONGRESS.

It is the sense of Congress that, in carrying out title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 (as added by section 3 of this Act and amended by sections 4 through 6 of this Act), the Administrator of the United States Agency for International Development—

(1) where applicable, should ensure that microenterprise development assistance provided under such title is matched by recipients with an equal amount of assistance from non-United States Government sources, including private donations, multilateral funding, commercial and concessional borrowing, savings, and program income;

(2) should include in the report required by section 258 of the Foreign Assistance Act of 1961 (as added by section 6 of this Act) a description of all matching assistance (as described in paragraph (1)) provided for the prior year by recipients of microenterprise development assistance under such title;

(3) should ensure that recipients of microenterprise development assistance under such title do not expend an unreasonably large percentage of such assistance on administrative costs;

(4) should not use recipients of microenterprise development assistance under such title to carry out critical management functions of the Agency, including functions such as strategy development or overall management of programs in a country; and

(5) should consult with the appropriate congressional committees with respect to the implementation of title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 not later than 90 days after the date of the enactment of this Act.

SEC. 8. REPEALS.

(a) FOREIGN ASSISTANCE ACT OF 1961.—Section 131 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152a) is hereby repealed.

(b) PUBLIC LAW 108-31.—

(1) IN GENERAL.—Section 4 of Public Law 108-31 (22 U.S.C. 2151f note) is amended by striking subsection (b).

(2) CONFORMING AMENDMENT.—Section 4 of Public Law 108-31 is amended by striking "(a)" and all that follows through "Not later" and inserting "Not later".

SEC. 9. REFERENCES.

Any reference in a law, regulation, agreement, or other document of the United States to section 108, 131, or 132 of the Foreign Assistance Act of 1961 shall be deemed to be a reference to subtitle B of title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, subtitle A of title VI of chapter 2 of part I of such Act, or subtitle C of title VI of chapter 2 of part I of such Act, respectively.

COMMODITY ASSESSMENT, PROTECTION, AND REFORM ACT

Mr. FRIST. I ask unanimous consent to proceed to the immediate consideration of Calendar No. 752, S. 2866.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2866) to amend the Farm Security and Rural Investment Act of 2002 to clarify the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2866) was read the third time and passed, as follows:

S. 2866

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commodity Assessment, Protection, and Reform Act".

SEC. 2. COLLECTION OF COMMODITY ASSESSMENTS.

Subtitle B of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7931 et seq.) is amended by adding at the end the following:

"SEC. 1210. COLLECTION OF COMMODITY ASSESSMENTS.

"(a) DEFINITION OF ASSESSMENT.—In this section, the term 'assessment' means funds that are—

"(1) collected with respect to a specific commodity in accordance with this Act;

"(2) paid by the first purchaser of the commodity in accordance with a State law or this title; and

"(3) not collected through a tax or other revenue collection activity of a State.

"(b) AUTHORITY TO COLLECT COMMODITY ASSESSMENTS FROM MARKETING ASSISTANCE LOANS.—The Secretary may collect commodity assessments from the proceeds of a marketing assistance loan made under this subtitle in accordance with an agreement between the Secretary and the State."

HIPAA RECREATIONAL INJURY TECHNICAL CORRECTION ACT

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 779, S. 423.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 423) to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 423

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[SECTION 1. SHORT TITLE.

[This Act may be cited as the "Health Care Parity for Legal Transportation and Recreational Activities Act".

[SEC. 2. COVERAGE AMENDMENTS.

[(a) ERISA.—Section 702(a)(2)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1182(a)(2)(B)) is amended by inserting before the period the following: ", except that a plan or issuer may not deny benefits otherwise provided for the treatment of an injury solely because such injury resulted from participation of the participant or beneficiary in an activity such as motorcycling, snowmobiling, all-terrain vehicle riding, horseback riding, skiing or other similar legal activity".

[(b) PHSA.—Section 2702(a)(2)(B) of the Public Health Service Act (42 U.S.C. 300gg-1(a)(2)(B)) is amended by inserting before the period the following: ", except that a plan or issuer may not deny benefits otherwise provided for the treatment of an injury solely because such injury resulted from participation of the enrollee in an activity such as motorcycling, snowmobiling, all-terrain vehicle riding, horseback riding, skiing or other similar legal activity".

[(c) INTERNAL REVENUE CODE.—Section 9802(a)(2)(B) of the Internal Revenue Code of 1986 is amended by inserting before the period the following: ", except that a plan or issuer may not deny benefits otherwise provided for the treatment of an injury solely because such injury resulted from participation of the enrollee in an activity such as motorcycling, snowmobiling, all-terrain vehicle riding, horseback riding, skiing or other similar legal activity".]

SECTION 1. SHORT TITLE.

This Act may be cited as the "HIPAA Recreational Injury Technical Correction Act".

SEC. 2. COVERAGE AMENDMENTS.

(a) ERISA.—Section 702(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1182(a)(3)) is amended—

(1) by striking "CONSTRUCTION.—For" and inserting the following: "SCOPE.—

"(A) WAITING PERIODS.—For"; and

(2) by adding at the end the following:

"(B) LIMITATION ON DENIAL OF BENEFITS.—For purposes of paragraph (2), a group health plan, or a health insurance issuer offering group health insurance coverage in connection with a group health plan, may not deny benefits otherwise provided under the plan or coverage for the treatment of an injury solely because such injury resulted from the participation of the individual in a legal mode of transportation or a legal recreational activity."

(b) PHSA.—Section 2702(a)(3) of the Public Health Service Act (42 U.S.C. 300gg-1(a)(3)) is amended—

(1) by striking "CONSTRUCTION.—For" and inserting the following: "SCOPE.—

"(A) WAITING PERIODS.—For"; and

(2) by adding at the end the following:

"(B) LIMITATION ON DENIAL OF BENEFITS.—For purposes of paragraph (2), a group health plan, or a health insurance issuer offering group health insurance coverage in connection with a group health plan, may not deny benefits otherwise provided under the plan or coverage for the treatment of an injury solely because such injury resulted from the participation of the individual in a legal mode of transportation or a legal recreational activity."

(c) INTERNAL REVENUE CODE.—Section 9802(a)(3) of the Internal Revenue Code of 1986 is amended—

(1) by striking "CONSTRUCTION.—For" and inserting the following: "SCOPE.—